

REMARKS/ARGUMENTS

After first entering the January 25, 2008 Amendment, claims 1, and 3-5 are pending. Claims 8-18 and 21-25 are withdrawn due to a restriction requirement. Claims 2, 6, 7, 19 and 20 are canceled.

Claim 1 is amended to delete the terms "zygote" and "or early embryonic" from the preamble. The term "zygote" was added to claim 1 following the objection to claim 19 as anticipated in the April 20, 2007 Office Action. The term "or early embryonic" was added to claim 1 following the objection to the term "zygote" under 35 USC 112 in the October 26, 2007 Office Action. No objection to claim 1 itself was raised in either Office Action that would require the addition of the terms "zygote" and "or early embryonic" to claim 1.

As claims 19 and 20 have been canceled, the terms "zygote" and "or early embryonic" have been deleted from the preamble of claim 1. This renders the objection to claim 1 under 35 USC 112, second paragraph, in the October 26, 2007 final Office Action as moot. Applicants understand that claim 1 is allowable since any other objection to claim 1 has already been satisfied.

Further, the deletion of the term "or early embryonic" removes any requirement for a further search since no new matters are raised.

In view of the foregoing amendments and remarks, Applicants submit that the present application is in condition for allowance. A Notice of Allowance is therefore respectfully requested.

Submitted herewith is a 3-month Extension of Time and appropriate fee, as well as the fee for filing the Request for Continued Examination.

No other fee is believed due. However, the Commissioner is hereby authorized during prosecution of this application and any related appeal, to charge any fees that may be required (except for patent issue fees required under 37 CFR §1.18) or to credit any overpayment of fees to Deposit Account No. 50-0337. Please ensure that Attorney Docket No. LA-7492-102/10408733 is referred to when charging any payments or credits for this case.

Dated: April 25, 2008

Respectfully submitted,



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